

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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U.S. DISTRICT COURT
BRIDGEPORT, CONN.

UNITED STATES

v.

ARIF DURRANI

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B-90-090 (TFGD)
B-86-59 (TGFD)

September 9, 1991

General Counsel

91-04721

GOVERNMENT'S OBJECTION TO ARIF DURRANI'S SECOND REQUEST FOR
PRODUCTION OF DOCUMENTS

The government objects to each of the seven requests for production contained in the defendant's Second Request for Production of Documents, received on July 25 and 26, 1991.

No useful purpose could be served by requesting additional classified documents from the CIA until the Court has had an opportunity to consider the government's objections in light of the claims made in both the original and amended 2255 motions. It is clear from the requests the defendant has made that Mr. Durrani is on a fishing expedition wholly unrelated to the claims raised in his original 2255 Motion,¹ and the claims now raised in

¹The suggestion in the defendant's July 21 Reply to the Government's First Response to his First Request for Production of Documents that there is a "possibility of [Manuel Pires'] indirect involvement with the United States government" raises a theory wholly at odds with the defendant's previously proffered versions of events and one which the Court, after all these months of delay by the defendant, should not permit him the latitude to pursue through unrestricted discovery.

the Amended 2255 are even more amorphous than those advanced in the original Motion.

The Original 2255 Claims

In the original 2255 Motion, the defendant alleged that exculpatory evidence concerning the following was suppressed at his trial:

(1) Oliver North's presence in London between September 28 and October 2, 1986;

(2) CIA efforts to procure Hawk missile system parts for delivery to Iran from sources other than the Department of Defense;

(3) The statement of a Belgian witness, Tony Van de Meersche, that Manuel Pires once told him that Pires was working for the U.S. government;

(4) Involvement of his company, Merex, with the CIA in importing ammunition;

(5) Placement of Bell helicopter parts on the munitions list;

(6) [same as (2)]

(7) A memorandum from William Casey.

Durrani also claimed in the 2255 Motion that the prosecutor suborned perjury at trial from Michael Sneddon of the National Security Council; Charles Moyer of the Central Intelligence Agency; and Brenda Carnahan of the Office of Munitions Control, U.S. Department of State.

Finally, Durrani claimed that because he was induced to

procure the Hawk parts he exported illegally by Manuel Pires, who was allegedly "requested and authorized to act on behalf of the United States government, the CIA and Oliver North of the NSC," his prosecution was barred by the concept of "due process estoppel," and that his sentence was disproportionately long compared to others convicted of violating the Arms Export Control Act.

Durrani failed to support any of these claims with a single shred of admissible evidence, or any other showing which would have entitled him to a hearing on these claims. Notwithstanding this utter lack of evidence, the government requested that the matter be set down for a hearing on the suppression of exculpatory evidence and subornation of perjury claims, and that the defendant be required to produce competent evidence in support of the claims or abandon them. Although the original 2255 has been pending since March, 1990, and since then the defendant has had nearly 18 months to investigate and conduct some discovery, no affidavit or other similar statement of provable facts underlying his claims has ever been produced. Now the original 2255 has been amended, and the nature of the amended claims is even broader and less specific than those in the original Motion.

Scope of the Inquiry

At trial, and since, the defendant has specifically claimed that his attempt to export Hawk system parts in October, 1986,

without the required State Department license was specifically authorized by Oliver North of the National Security Council in a face-to-face meeting in London between September 28 and October 2, 1986, as part the hostage negotiations with Iran.² Durrani also testified that his customer Manuel Pires set up the meeting with North, and that Pires had previously done business with Richard Secord and Albert Hakim, although Durrani disclaimed any involvement with any shipments made by Secord and Hakim.

Because of this testimony, even though Durrani has produced no admissible evidence that Oliver North was in London during the September 28 - October 2, 1986 time period, the government agreed to provide at least the Court with all available evidence concerning North's whereabouts for the relevant time period. The only evidence on this question which is in the undersigned's possession is the Oliver North notebooks. Other information has been identified by the Independent Counsel but cannot be made available until security procedures are completed. However, based on discussions with the responsible officials, no evidence discovered so far supports Durrani's claims.

In light of Durrani's claims that Manuel Pires was an associate of North's and the charge that the CIA witness committed perjury concerning any resort by the CIA to third

²At one point in his testimony, Durrani said he learned Pires was buying Hawk missile system parts for the U.S. government in September, 1986 (3/24/87, 236-241).

parties in procuring the Hawk system parts delivered to Iran, document searches have also been done in an attempt to discover any relationship between Pires and the Hawk procurement. No evidence has been discovered so far to suggest that Pires had any involvement with the U.S. government's shipment of Hawk parts to Iran or with Oliver North.

Groundless Discovery

In his first Request for Production of Documents and through subpoenas, Durrani sought not only information about the whereabouts of Oliver North and the role of Manuel Pires, but also documents on a variety of subjects which have on their face no relevance to his claims.

For example, Durrani subpoenaed George Cave, who served under contract to the CIA as an interpreter in the hostage negotiations with Iran. He has also asked for documents concerning meetings Cave supposedly attended with Iranians in Washington, D.C. in July and September, 1986; in Frankfurt in July, and in London and Madrid in August, 1986. The CIA has found no documents responsive to these requests. In his trial testimony, Durrani claimed that a person he identified as his Iranian contact (Rahim Malekzadeh) told him in 1985 that he was dealing with George Cave and Oliver North. (3/24/87 Tr. 220) Since George Cave did not become involved with the Iranian hostage negotiations until March 5,

1986³, it is obvious that this was simply another instance of Durrani name-dropping with no first hand knowledge.⁴ The only other mention of Cave during the Durrani trial was in a stipulation involving Exhibit 609, a list of parts delivered to Cave by an Iranian representative in Paris in April, 1986. This list was similar but not identical to the shopping list Durrani supplied to Radio Research in mid-1986.

Now, Durrani has expanded his document request to seek records of meetings supposedly attended by Cave in Frankfurt in October, 1986 (after Durrani's arrest), as well as in Washington in September, 1986.

Nowhere in the original 2255 or in the record of this case is there anything to support even the inference that Cave has anything useful to contribute to a resolution of the question of whether exculpatory evidence was withheld or perjury was committed at Durrani's trial.

The Court recently denied the Motion to Quash the subpoena issued to George Cave as moot, presumably in light of the status conference at which counsel indicated they would attempt to handle the witnesses originally subpoenaed by the defendant

³Draper, A Very Thin Line, p. 291. Similarly, North's first contact with the Iranians was in Frankfurt on February 19, 1986.

⁴The Court will recall that Durrani also invented contact with Howard Teicher of the National Security Council during his trial testimony, and that Teicher appeared in the government's rebuttal case and denied any knowledge of Durrani.

through depositions. The undersigned has attempted to obtain from defense counsel a statement of the information about which he seeks to depose Mr. Cave, so that the CIA can authorize Mr. Cave to testify. A deposition of Mr. Cave in lieu of his public appearance will be a waste of time unless the parameters of the deposition are established with enough specificity to permit the CIA to authorize Cave to testify.

In August, defense counsel took the depositions of Barbara Studley and John Singlaub in Washington, D.C. Neither witness had any knowledge of Arif Durrani or his claims; neither has any known involvement in or knowledge of the "Iran" portion of the Iran-Contra affair; both have met Manuel Pires only within the last two years and neither provided any testimony suggesting any involvement by Pires with the U.S. government or Iran-Contra. Without some advance explanation to the Court of the relevant testimony defense counsel expects to elicit from George Cave, the Cave deposition offers no greater prospect of usefulness than the Studley-Singlaub examinations and, because of Mr. Cave's relationship with the CIA and exposure to classified information, the difficulties of conducting such an examination are extensive.

Second Request for Documents

Examination of the most recent Request for Production of Documents demonstrates how far afield Durrani is seeking to go from the allegations which the Court must address.

Request #2/1: A memorandum from William Casey to the Chief of the Near East Bureau on October 8, 1986, regarding a meeting with Roy Furmark. Appended to this Response as Exhibit 1 is an excerpt from A Very Thin Line, p. 441, which describes the document the Request seeks. Furmark was fronting for a group of Canadian investors whose money had been used to fund Lake Resources' acquisition of the parts shipped to Iran from the CIA. There is no suggestion that they were at all involved in procuring the actual parts or that their involvement was relevant to the shipment made by Durrani on behalf of Pires; this money was used to pay the CIA for the parts. Moreover, this document was generated after Durrani's arrest.

Request #2/2: Records of a meeting in Frankfurt, West Germany on October 6-8. Appended to this Response as Exhibit 2 is an excerpt from A Very Thin Line, p. 420-427, which describes the meeting the Request apparently references. Again, the Court can see that there is no apparent connection between this meeting and any claim made by Durrani, and it occurred after Durrani was in custody.

Request #2/3: Records of a meeting in Washington, D.C. on September 19-21, 1986. Appended to this Response as Exhibit 3 is an excerpt from A Very Thin Line, pp. 410-415, which describes the meeting the Request apparently references. There is no apparent relevance of this meeting to any claim by Durrani,

either.

Request #2/4: Report of a member of Hostage Location Task Force.

Request #2/5. Delivery of Hawk spare parts by anyone affiliated with the United States on August 3 or 4, 1986.

These references apparently comes from the Tower Commission Report, pp. B-144-148, and has to do with the August shipment of the parts stockpiled in Israel while the North-McFarlane visit was undertaken in May, 1986, after the release of hostage Jenco. See A Very Thin Line, p.388, and footnotes, appended to this Response as Exhibit 4 along with the referenced pages of the Tower Commission Report.

Request #2/6: List of spare parts for Hawk missile batteries given by Kangarlou in Frankfurt, Germany on February 24 or 25, 1986. Appended to this Response as Exhibit 5 is an excerpt from A Very Thin Line, pp. 284-289, which describes the meeting the Request apparently references. Not only is there no apparent connection between this meeting and any claim by Durrani; there is no reference to a list of spare parts, either.

Request #2/7: Documents concerning the involvement of any of seven persons or one company with purchasing arms for or exporting or importing arms to Iran from any country from January 1, 1983 to December 31, 1987. Except for Manuel Pires and Richard Secord, none of the other names have ever been mentioned in connection with the Durrani case.

The government has already unsuccessfully searched for documents establishing any connection between Manuel Pires and the U.S. government for the period up to August 1, 1987, which is the only question with any conceivable relevance to the 2255 Motion. While there is no dispute that Manuel Pires trafficked in arms with the Iranians during the period 1983 through 1987, it would be irrelevant to this proceeding to document that fact. And Durrani at trial disclaimed any involvement in any of the Secord-Hakim shipments of weapons, which undermines any claim of relevance for Secord's activities.

Effect of the Amended 2255

Durrani's claim of government authorization for his activities has all along been specifically grounded in the alleged directions provided to him personally by Oliver North and in the relationship he swore under oath that Pires had with North and the CIA. While it is a very interesting exercise to revisit the Iran-Contra affair in light of information which has come to light since Durrani's conviction, the defendant has failed to point to a single piece of evidence which supports his claims that exculpatory information was withheld from him and that the government knowingly presented perjured testimony. Nor has the defendant produced a single piece of evidence which suggests that the jury's assessment of his credibility was in error.

Now, the 2255 Motion has been amended to eliminate the

original allegations that the prosecutor deliberately withheld exculpatory evidence and suborned perjury by the CIA and NSC witnesses. As will be more fully set forth in the Government's Response to the Amended Motion to Vacate and Set Aside ("Amended 2255"), which is being prepared for filing, this Office now opposes any hearing on the merits of this Amended 2255 because the defendant has utterly failed to comply with the requirements for obtaining a hearing.

Certainly, the government opposes any further discovery until the defendant at a minimum makes the showing of competent evidence required before a hearing may be scheduled. Because of the quasi-criminal but technically civil nature of a 2255 proceeding, the Court has broad discretion in authorizing discovery. It is unfair for an already-convicted defendant to be allowed to advance totally unsupported claims and then to be authorized to conduct wide-ranging discovery with no prospect that the discovery will accomplish anything other than to waste the attorneys' time and the public's money. Such a scenario undercuts the purposes of the criminal discovery rules and the rules of evidence, and would allow a convicted defendant much broader latitude to rummage through the government's investigative files than that afforded to any person awaiting trial.

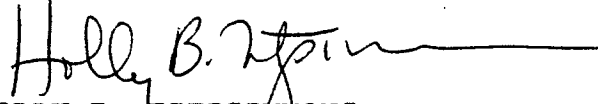
CONCLUSION

For the foregoing reasons, the Government opposes the

movant's Second Request for Production of Documents and asks that the Court review and limit the defendant's discovery demands to documents and witnesses demonstrably relevant to the proceedings pending before the Court.

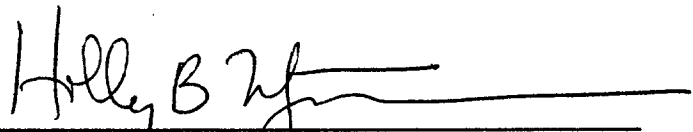
Respectfully submitted,

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CERTIFICATION

A copy of the foregoing was mailed, postage prepaid, this 9th day of September, 1991, to William B. Bloss, Esq., Jacobs, Grudberg, Belt & Dow, P.C., 350 Orange St., P.O. Box 606, New Haven, CT 06503.


HOLLY B. FITZSIMMONS

EXCERPTS FROM
PUBLISHED WORKS CITED
IN TEXT OF
MEMORANDUM

TEXT p. 6

FOOTNOTE 3

as always just within reach and st hopes had been held out for 86, when at last a real Iranian and his entourage. For a while, garlou, was important enough n decisions."¹

interested mainly in obtaining unable to commit himself on agreement to another meeting tcome of the Frankfurt discuss- again within reach. This time a major Iranian figure, Speaker end and enable the Americans

m Island meeting to take place er his return from Frankfurt. gotiator, was put on the alert ent. He waited three months. ppeared that might have dis-

1. dord and Hakim on March 2, who had led him to believe, ot right for mtg [meeting] in ed Phoenixes. North quickly way we can delay this much pull out all stops."²

now significantly increased its still considered the NSC staff could not resist getting more th out of trouble.

On March 5, the CIA contributed one more of its own to North's entourage. He was George Cave, a retired CIA veteran, who had been called back as a consultant on Iran owing to his fluency in Farsi. Cave had first known Ghorbanifar in 1980 and the following year had recommended breaking off with him. Ghorbanifar, Cave said, had provided information that did not check out and had demanded exorbitant financial payments. When Ghorbanifar was apparently taken on again in 1984, Cave's suspicions had led to the polygraph tests which Ghorbanifar had failed and to the "fabricator notice" which had warned all and sundry against any dealings with him. In January 1986, when he heard that Ghorbanifar was back again, Cave had again made his distrust known and had helped to design the new polygraph test, which Ghorbanifar had again failed. Cave thought that that was the end for Ghorbanifar—prematurely, as had been the case with so many other rumors of Ghorbanifar's downfall.³

The CIA was instrumental in putting Cave into North's operation. The Near East Division's Tom Twetten was disturbed by the use of Hakim, who had allegedly been involved in some illegal arms or technology sales to Iran. Twetten went to Clair George, the Operations chief, to get Hakim out and Cave in; George went to Casey; Cave came in, though Hakim was also a hard man to get rid of.⁴ With Cave, Allen, and Twetten working with North, the CIA had no trouble monitoring the Iran affair—and bearing more responsibility for it.

When he was called in on March 5 and told about the Iran operation, Cave says that it was "quite a shock" and that he was "very alarmed."⁵ He met that same day with North, whom he had not previously known, and came in for an even greater shock.

Two days later, they were on a plane together heading for Paris—to meet with Ghorbanifar.

2

On March 7, 1986, North, Cave, and Twetten met Ghorbanifar and Nir in the French capital. As usual, Ghorbanifar claimed to have everything under control and said that there was nothing to worry about. He was, Cave wrote in a memorandum that same night, "very relaxed and said that everything was arranged." He spent at least a half hour talking about how indispensable he was—"how careful we must be in dealing with these guys and how we needed such a person as him to guide the way he knew how to handle them."⁶

Twetten recalled that in an early exchange of recriminations about which side had been most at fault in the past, Ghorbanifar was not abashed. The Americans were unhappy because no hostages had been released. Ghorbanifar countered that the Iranians were so unhappy with

EXHIBIT 1

(referenced on p. 8
of text)

that he was being cut out. Furmark made the comment, you know, *le contras*."⁸⁵

come up twice—once from Allen to Furmark. The latter was more banifar, who had—according to diversion in the first place, now the operation.

asked Furmark to see Casey to complete the contract so Ghorbanifar get his money, and that is the basis

a mutual friend, John Shaheen, his old comrade-in-arms from the firm. Furmark said that he had November 1985 and apparently

half an hour. Furmark's version

Mr. Adnan Khashoggi and I large financing for Ghorbanifar and that Mr. Ghorbanifar was to him the bridge financing can only be paid if the American and then Iran will pay Mr. Adnan Khashoggi will be paid.

ing vein:

s] was in Khashoggi's mind. Canadians, which is what I was far was thinking of talking to committee. I mentioned two men and Senator Leahy.

I don't give anything away:

as paid into Lake Resources, account. He said I don't think it is not my operation. Sounds like I told him that it was being, I will look into it, and then go to call Poindexter and have him not there.

As Furmark was leaving, Casey asked him to "see one of my guys and give them all the details of everything that you know about it, which I said I would do."⁸⁷ As for the operation itself, Casey obviously knew better than to attribute it solely to the Israelis.

We have Casey's memorandum of his meeting with Furmark. It provides some additional details and shows that Casey was apparently most worried about the Canadian involvement:

1. A New York man whom I haven't seen in some years came in to tell me that he is currently working for Adnan Khashoggi and is involved in transactions involving Iran.

2. Khashoggi apparently got some Canadian investors to put \$15 million into a company called Lake Resources which was to acquire goods for shipment to Iran. The Canadians are said to have put up their money as a loan which was repayable in 30 days. As of now they have been waiting five months for their money and are very close to doing something to recover money put up since May 15 without any collateral or signatures. Credit Suisse in Geneva is in some way involved in this. Khashoggi put the group of Canadians together but feels their panic about their money is such that he will not be able to control it for long. He believes that members of the Canadian group have been talking to [Senators] Leahy, Cranston and Moynihan. They are claiming that the latest shipment was \$10 million short because 63 pieces were defective and 299 were missing.

3. The final message was that the only way to handle this matter is to supply the rest of the equipment or agree on a refund of X number of dollars or repay \$10 million.⁸⁸

Furmark later said that he had told Casey that the loan from the Canadians was long overdue, not that it was repayable in thirty days, and not that it was without any collateral. Furmark also claimed that he had said that Ghorbanifar "was talking about talking" to the three senators, not that the Canadians were talking to them, and that the Canadians had put in \$10 million, not \$15 million.⁸⁹

But Casey was now forewarned. Furmark should have been enough to set alarm bells ringing.

6

If Furmark was not enough, Allen should have been more than enough.

After Furmark had left on October 7, Allen and Gates came to see Casey. According to Allen, his purpose had been

Exhibit 2

(referenced on p. 8 of Text)

dexter caught some of it. On October 3, after receiving North's report on the coming meeting with the Relative in Frankfurt, Poindexter wrote cheerfully to McFarlane:

We have quite a bit of news on that front. It looks promising. We have made contact with Rafsanjani [Relative]. Two meetings so far. One here in US. Ollie, Cave and Second meet with him this week-end in Frankfurt. Your trip to Tehran paid off. You did get through to the top. They are playing our line back to us. They are worried about Soviets, Afghanistan and their economy. They realize the hostages are obstacles to any productive relationship with us. They want to remove the obstacle. [Deleted] has been in Beirut, says he has good news for Frankfurt. We shall see. Still insisting on group release. If this comes off may ask you to do second round after hostages are back. Keep your fingers crossed.⁹

This hint was all that McFarlane needed. A day later, he responded to Poindexter: "Roger, anytime John." To which he added:

If you think it would be of any value, I might be able to take a couple of months off and work on the problem. No guarantees and no need for any sponsorship (except for airfares and hotels) but I might be able to turn something up. Think about it.¹⁰

McFarlane was evidently still caught up in the Iran project, as if he regretted that he had prematurely removed himself from it. A second Tehran meeting might enable him to make up for the first.

2

But a second meeting in Tehran was still distant. Meanwhile, North, Second, Cave, and Hakim went to Frankfurt for a second meeting with Bahramani.

The Frankfurt meeting took place October 6-8. With Bahramani came another Iranian representative who proved to be of particular interest. He was the Ali Samii, who had attended the first meeting with Chorbani in Frankfurt in February 1986 as well as the Tehran meeting with McFarlane's group in May 1986. He seems to be someone in whom the top Iranian leadership put the utmost confidence and who was used by it as a watchdog over both Chorbani and Bahramani. We know little more about him than that he was considered to be a Revolutionary Guard intelligence official and a tenaciously hard bargainer. He described himself as the "extraordinary representative of the cooperative that has

been assigned to deal with the relationship with the United States."¹¹ The Americans also dubbed him "the Monster" and "the Engine."¹² North apparently referred to him as "the general."¹³ Hakim was particularly impressed by him, for one reason because he had refused to take gifts from Hakim even for his children. At times, he seemed to be a more important Iranian spokesman than Bahramani.¹⁴

We have an unusually full record of this meeting because it was surreptitiously recorded and almost twenty printed pages of the tape are available as well as an extensive report in North's notebook.¹⁵ As a result of this largesse, we have a much better idea of the liberties North permitted himself to take in these meetings. North's imagination or fantasy was never more unrestrained than in his encounters with Bahramani. On this occasion, he was most creative in inventing meetings with and statements by President Reagan, as if North imagined himself to be the president's stand-in.

They went through the by now familiar questions—arms, hostages, money, Chorbani, Iraq's Saddam Hussein, Kuwait's Da'wa prisoners, Iran-Iraq peace, and the hypothetical U.S.-Iran strategic relationship. The difference is that we now know what was actually said, as if we were present in the room.¹⁶

The Iranian request for arms and intelligence brought from North imaginary instructions from President Reagan and familiar references to the secretaries of state and defense.

North: What the President told me to do was to build the best possible intelligence . . . We didn't give you a full intelligence package back in February.

Hakim interprets for the Iranians.

North: He only put one constraint on what I did. "You will not," he said to me, "recommend items that would allow or encourage the Iranian Army or the Pasdaran [Revolutionary Guards] to seize Baghdad."

Hakim (interprets): Isn't it your understanding from everything that you have seen that Baghdad is not one of their objectives?

North: My friend, I understand that. I actually believe that, but I have one hell of a time convincing people like Caspar Weinberger and George Shultz.

Hakim (interprets): He says that they did not believe that they could seize Faw,¹⁷ but they did.

North: That's what scared the hell out of Caspar Weinberger and George Shultz (laughs).

Hakim (interprets): He says they are not going to wait for Shultz and Weinberger to seize Baghdad.

North (laughing): I understand that.¹⁸

Secord was also privy to what President Reagan had allegedly authorized.

Secord: Based upon previous official requests of the Iranian Government, i.e. [deleted] and verified, and I would underline, desperate requests from him, for TOWs, for Hawk parts and for high-powered radars, we have achieved presidential authority for immediate air delivery of those items. . . . And the President of the United States has approved a secret operation to deliver these items immediately.¹⁹

As the discussion proceeded, North's version of what President Reagan had told him became more and more expansive:

North: That Saturday when [the Relative] was in Washington, and I flew up to Camp David to talk to the President, and I showed him the list [of requested arms], and he said, "Why are you thinking so small?" He took the list, that list right there, and he went like this with it—I was sitting across the table—and he said, "For someone who has seen so much war as you have, North, you should understand that I want to end that war on terms that are acceptable to Iran. I don't want to simply help [] go out and kill more Iranian youngsters. What about the 2 million people without homes? What about the oil industry which is already in ruins? What about the industrial base which is being destroyed? Stop coming in and looking like a gun merchant." And he banged on the table, "I want to end the war."²⁰

At a later stage of the meeting, the Iranian request for howitzers produced unorthodox suggestions from Secord and North. Cave said that the 100 towed howitzers and 500 howitzer barrels desired by Iran constituted such a large order that they would necessitate opening a production line.²¹ Secord thereupon advised the Iranians to go to a friendly third country to buy them. North interjected: "Go tell some allied, some country, that we will look the other way." Cave pointed out that another country would have to open a production line. "Look," North rejoined, "all of this is to say that all of this and more can be done, but we need to fireproof our President by removing the obstacle [of the hostages]."²²

The Iranians pleaded that they were not sure they could get the hostages, on which, for the Americans, everything else hinged. Sami said, in Hakim's translation: "And I want you to know that even today, as I'm sitting here, we do not have a guarantee that the Lebanese would 100

per cent listen to what we have to say." Even "up to this date," he said, we are still "in a mess" with respect to the hostages.²³ Later an Iranian protested that "you must understand that they are going to try their best. They are not in a position to make any promises because they don't know where they are."²⁴

North gave the Iranians some apocryphal information and advice on the release of the Da'wa prisoners in Kuwait:

We recognize that those who hold the hostages most want their brethren who are held in Kuwait as convicted terrorists freed. Very, very privately with the Kuwaitis, last Friday, we helped to try and set the stage for that kind of thing to happen in a direct dialogue between Iran and Kuwait. We have assured the Kuwaitis—a very, very experienced foreign minister—that the Da'wa prisoners are their business. But you should know, very, very privately, that what that means is that if the Kuwaitis decide to release them over some length of time or for some religious reason, that we are not going to criticize them.²⁵

North was also ready to provide Iran with "very sensitive intelligence." But it had to be done "in such a way that we will not be known to have given them to you." If it ever became known, North warned, "we would be finished in terms of credibility as long as President Reagan is President."²⁶

North again posed as if he were the president's confidant:

The President has said—and I said this to you—and I flew up to Camp David to talk to the President. And he said, "I understand why we should do everything possible to insure an honorable peace for Iran."²⁷

Whenever the problem of Iraq's Saddam Hussein came up, North made some of his most astonishing statements. The transcript reads:

North: He [President Reagan] knows that Saddam Hussein is a (expletive).

Hakim: Do you want me to translate that?

North: Go ahead. That's his word, not mine.²⁸

North again spoke of Saddam Hussein in this vein:

Saddam Hussein. Okay. And I don't know exactly how that's all going to work. Okay? One of the things that we would like to do is that we would like to become actively engaged in ending this war

in such a way that it becomes very evident to everybody that the guy who is causing the problem is Saddam Hussein.²⁹

There was also much talk, mainly by North, about the primary American aim to arrive at a long-term relationship with Iran. It came up in a peculiar exchange:

North: Ronald Reagan is going to be President of the U.S. for two more years and will never again serve as President.

Iranian: There is McFarlane.

North: He wants to be president?

Iranian: They are very active in trying to make McFarlane president (laughter).

North: That's not beyond reason. It could happen. (Continues with previous thought.) This President would like to have—I can tell you because I've listened to him—his vision is that when he leaves office in 1989 we will have full diplomatic relations between your country and ours.³⁰

At other times North said that "our objective is to assure the political sovereignty and territorial integrity of Iran."³¹ North also assured the Iranians that "we are working for a military balance in the region—a political solution and honorable solution to the Iran-Iraq war."³² North seems to have made up American policy as he went along: no decision had been made in Washington on how the United States was going to "assure" Iran's political sovereignty and territorial integrity.

This meeting, like the others, tended to wander into political areas in which both sides knew that little if anything could be done by themselves. The real business of the Frankfurt meeting was still what it had always been—an arms-for-hostages deal. On the way over, North had handwritten a seven-point program, headed "U.S. Proposal," which he had presented toward the end of the first day. It read:

1. Iran provides funds for 500 TOWs and remainder of Hawk parts.
2. Within 9 days we deliver [Hawk] parts and TOWs (500) plus medical supplies.
3. All American hostages released.
4. Iran provides funds for 1500 TOWs.
5. Within 9 days we will deliver:
 - ★ 1500 TOWs
 - ★ Technical support for Hawks
 - ★ Updated intelligence on Iraq
 - ★ Communications team

6. Iran will then:

- ★ Release Patis^{*}
 - ★ Provide body of [William] Buckley
 - ★ Provide copy of Buckley, debrief [by Lebanese captors]
7. U.S. will then
- ★ Identify sources for other items on [Iranian arms] list
 - ★ Iran will then work to release other hostages.³³

The striking thing about this proposal was its American-style arms-for-hostages approach. It differed from an Iranian-style deal in that it required the one-time release of all the American hostages rather than release in a sequential pattern. North admitted that he had not talked to his superior, Poindexter, or anyone else in the administration about these points.³⁴ In any case, they were not what the Iranians were looking for.

For one thing, the Iranians could not guarantee that they would be able to obtain the release of the American hostages. All they were willing to do was to "promise" to use their influence with the Lebanese captors. It appears that the various American hostages were not necessarily held by one Lebanese group and that the Iranians did not have influence with all of them. In fact, the Iranians claimed that they did not even know where the latest two American hostages were being held and merely agreed to try to find out.³⁵

In any case, the Iranians wanted the Americans to promise on behalf of Kuwait to gain the release of the Da'wa prisoners. It had become more and more apparent that the fate of the American hostages was inextricably wound up with that of the Da'wa prisoners. North's previous suggestion about how they could be freed, for which he had had no warrant, was not enough for the Iranians, who apparently needed something much stronger for the Lebanese. The issue was now more clearly drawn than ever before, especially since the Iranians noted that North's seven points had said nothing about the Kuwaiti problem.³⁶

By the second day of the meeting, the two sides were drawing further and further apart. Samii countered North's seven points with his own seven-point proposal, which has been reconstructed in the following way:

1. The United States would establish a timetable for the delivery of the arms on the Relative's list, thus committing itself to providing offensive and defensive arms.
2. One hostage would then be released.
3. A timetable and a location would be established for the exchange of intelligence, and the United States and Iran would evaluate the Russian, Afghanistan, and Iraq situation.

^{*} John Patis was an American citizen who had been arrested in Iran as an alleged spy several months earlier.

4. Iran would "only promise" to gain the release of the remaining two American hostages but this was to be linked to American progress on the Da'wa prisoners. The Engine made clear that the release of the Americans and the Da'wa would have to "wash." "They would have to coincide or have some logical correlation."

5. Shipment of the eight items on the Relative's list would proceed based upon mutually agreed-upon priorities and quantities. Iran would try—but not promise—to locate and arrange the release of the other two hostages.

6. The United States would contact Kuwait to make sure that there are no problems with the release of the Da'wa prisoners.

7. The United States and Iran would agree to work within the framework of the Hague settlement process to provide Iran with military items, such as F-14 spare parts, that Iran had paid for under the Shah's rule but that had been embargoed after the Embassy seizure.³⁷

The Iranian and American proposals differed sharply. Instead of obtaining the release of all the American hostages at one time, the Iranians agreed to the immediate release of only one hostage, followed by an exchange of two American hostages for the Da'wa prisoners in Kuwait. The Iranians also brought into the deal the Iranian funds sequestered by the United States after the fall of the Shah, a factor North was not prepared to deal with. Curiously, the Iranians complained that the Americans were guilty of always seeking to trade hostages for arms, whereas the Iranians wanted both sides to take everything on trust.³⁸ This riposte would have been more convincing to the Americans if the Iranians had not obviously been trying to avoid committing themselves to the release of the American hostages and had not been so determined to force the Americans to commit themselves to specific arms deliveries.

By the middle of the second day, the outlook for an agreement was so dark that even North was ready to give up. Once both sides had presented their proposals, it was clear that they were not talking the same political language. Of his own seven points, North said that "this list was given to me by the President of the United States of America. And there's no way on God's green earth that I'm going to violate my instructions. . . . That's the President's authorized list. That's all he authorized. . . . In fact he told me, he said, you know, 'Don't give away more than you have to.' That is everything he authorized me to talk about."³⁹ North was so pessimistic that he saw the two countries "pass each other like two ships in the night. . . my sense is that I have failed in my mission. . . . we are missing each other, we are not understanding each other."⁴⁰ He felt, he said, "very much like I did the last time you and I saw each other in Tehran," when everything had fallen apart at the end.⁴¹

Even the Bible had not been able to bring both sides together. When

Bahramani had said at their Washington meeting that he was going to bring a Koran for the president, North had decided to reciprocate with a Bible for the Iranians with a suitable inscription in the handwriting of a President Reagan. He chose a passage, Galatians 3:8, which read: "And the Scripture, foreseeing that God would justify the Gentiles by faith, preached the gospel beforehand to Abraham, saying, 'All the nations shall be blessed in you.'"⁴² The passage was intended to show how much Moslems and Christians had in common.

As North presented the Bible, he said these words:

We inside our Government had an enormous debate, a very angry debate inside our government over whether or not my President should authorize me to say, "We accept the Islamic Revolution of Iran as a fact. . . ." He [the president] went off one whole weekend and prayed about what the answer should be and he came back almost a year ago with that passage I gave you that he wrote in front of the Bible I gave you. And he said to me, "This is the promise that God gave to Abraham. Who am I to say that we should not do this?"⁴³

When North was asked about this and other statements which he had made to the Iranians in Frankfurt and elsewhere, he said that "they were blatantly false" and that "I lied every time I met the Iranians."⁴⁴ It was as if he thought that his lies would never catch up with him and that lies could be made the foundation of a "long-term strategic relationship."

Other matters dealt with at Frankfurt concerned Chorbanihar and Iraq's Saddam Hussein. According to North's notebook, the Iranian side said: "Gorba & Israel must be out. We cannot be sure that Israel will be fully out. In a near term—must keep Gorba [from] going public." As before, Iraq's ruler was a particular Iranian bugbear and it was emphasized that "an honorable peace means that Saddam Hussein must go."⁴⁵

3

The crisis of the second day was made all the worse by something totally unforeseen by either side. It added a still more extraordinary episode to the annals of American intercourse with other countries.

North had flown to Frankfurt on October 5, 1986. On that very day, the plane carrying Eugene Hasenfus was shot down, and he was captured by the Nicaraguan Sandinistas the next day.

This coincidence brought the Iran and contra affairs together as never before. North received word of the Hasenfus debacle on the second day of the meeting, October 7, and immediately made plans to leave for Washington.

Exhibit 3

(referenced on p. 8 of text)

gence of the Second Channel. North and Poindexter had deliberately decided to go ahead without the Israelis and, in North's case, to deceive them. Second and Hakim had taken the place of Chorbanifar, with the result that the Israelis no longer had a privileged position in the action.

5

At last, Bahramani, accompanied by two aides, came to Washington to meet with North, Second, Cave, and Hakim on September 19 and 20.⁷¹ North had the meetings secretly taped, with the result that we have an exceptionally full record of what took place. Bahramani alone spoke for Iran, and the United States was represented by North, pretending to be "Colonel Goode," Second as "General Kopp," and Cave as "Colonel Sam O'neil."⁷²

Bahramani satisfied them that he had come with the approval of four leading Iranian officials. He named Rafsanjani, Mohsen Rafiq-Dust, Mohammed Hosein Jalalai, and Mousavi-Khameini (evidently a confabulation of Prime Minister Mousavi and President Khamenei). They had told him to be sure to talk to "the top of the U.S. government"—instructions that he was not able, or did not know enough, to carry out. He also said that Foreign Minister Velayati, alleged to be relatively close to Rafsanjani, had participated in meetings regarding earlier American approaches to Iran and had evaluated them as "sincere," though Velayati had not been present at the final sessions which had authorized Bahramani's trip to the United States.⁷³

The two-day meetings filled the Americans with more optimism than ever before. The Iranian immediately said all the things the Americans hoped to hear. Iran recognized the increasing Soviet threat. His government wanted strategic cooperation between Iran and the United States. The Ayatollah Khomeini was absolutely opposed to terrorism and hostages. The Iranian leadership thought of forming a "joint committee" to resolve all problems between the two countries step by step.^{*}

Chorbanifar was another link between the two sides. North said that he was not acceptable to both the Iranians and the Americans. Bahramani had as little use for him as the Americans now had. He flatly said that

* At the outset, Bahramani made some strange remarks about various "approaches" to Iran: "They also were curious about the approaches from Senator [Edward] Kennedy and [former Secretary of State] Alexander Haig. The Haig approach blew their mind because it was via an Iranian hair dresser in Europe (in the copy produced at the North trial, deleted in Part III, p. 1224).

The reference to Kennedy and Haig had already been brought up at the Brussels meeting on August 25. Second had then reported to North: "Special interest items included claim that an Al Haig gp [group] and a Senator Kennedy gp have recently tried to meet with [the Relative]—he has declined—he wants to deal with the Presidents [sic] representative" (in TR, p. B-149, deleted in A-1, p. 1340).

These allusions to Kennedy and Haig have not been explained.

the Iranians mistrusted Chorbanifar. The Americans agreed but were worried "about his going public and destroying everything." Bahramani rejoined that "they think they can take care of Gorba. He was almost executed in 1981. They have a lot on him and he also has family back in Tehran." But the Americans were doubtful and believed "this remains a problem since Gorba has told Nir that he would go public."⁷⁴

According to another American version of the meeting, Bahramani said that someone close to Chorbanifar's contact in Tehran was believed to be working for the KGB, the Soviet secret police. He expressed great concern that the Soviets could make the contact public, if it was confirmed, by "doing great mischief in Iran and the U.S. and by rapidly escalating their assistance to Iraq or even intervening in Iran." To which North says that the Americans responded helpfully: "We did all we could to feed this anxiety."⁷⁵

When they came to discussing arms for hostages, North pointed out that TOWs and Hawk spare parts had been delivered, but Chorbanifar was complaining that he had not been paid in full. "Chorbanifar," North said, "always claims to be borrowing and then getting paid in part and rolling debts forward and raising costs and it is very, very confusing and it's impossible for us to follow exactly what it is that he is doing. However, Chorbanifar knows a great deal and he could be harmful to us if he were to go public and this is a problem which we wish to address. We think Iran should pay him whatever they owe him so he will be quiet and stay off the air."

The Iranian answer was that Chorbanifar had received all his money but it will be looked into. At a later point in the meeting, Bahramani said that "they [Iranian authorities] want to get him out of the loop as soon as they can. He's been profiteering and people in Iran fear that they will be accused of being profiteers." North remarked that "Chorbanifar has some strong Tehran connections that we know of and this remains a problem that needs to be solved."⁷⁶ North noted a way to get rid of Chorbanifar: "Tell G. [Chorbanifar] that 2 new hostages have made proceeding impossible."⁷⁷

Religion also entered into the discussion.

On a number of occasions he was told that RR [Ronald Reagan] believed deeply in the teachings of our Holy Book, a copy of which was on the table, and reference was made to a number of pertinent passages (e.g. Gen. 15:7-21; Gal. 3:7; etc.). At one point he [Bahramani] noted to George [Cave] that RR being a man of God had removed the only argument they had—that Allah was supposed to be on their side.⁷⁸

This reference to President Reagan's alleged religiosity was apparently intended to show how much the two sides had in common spiritually.

The hostage issue was downplayed by both sides. The Americans took the line that it was an obstacle, not the key to arriving at a strategic relationship. North recognized that the Iranian government did not have absolute control over the Lebanese groups but believed that Iran could help resolve the issue. Bahramani assured Cave that he was certain the matter could soon be settled. "He has promised prompt action on the hostages," North told Poindexter, "is looking for assurances that we will not walk away once they use their influence to get them free." As a token of Iran's new antiterrorist policy, North pointed to a recent Iranian refusal to permit the landing in Iran of a hijacked Pan American plane at the Karachi airport. In return, Bahramani was promised that a Voice of America broadcast the following week would mention Iran favorably as one of the states that had taken a courageous stand against the hijacking. As for the Da'wa prisoners in Kuwait, North said, the United States could not make a direct approach to Kuwait but believed that the government of Kuwait was prepared to release the prisoners gradually if the government of Iran approached Kuwait privately with a no-terrorism promise.⁷⁹

On the Soviet Union, North said that the United States did not want to see Iran lose but neither did it want to see an attempt against Iraq "which will bring in the Soviets." Soviet anxiety "could be quickly raised if they knew that we are trying to reestablish relations," so that absolute secrecy was necessary. It was advisable to set up a secure communication station with two American technicians in Tehran to thwart the KGB. As a gesture of his own, Bahramani offered to hand over to the United States a captured Soviet T-72 tank.⁸⁰ If there was to be a U.S.-Iran strategic relationship, it was clearly aimed more at the Soviet Union than at Iraq, which the United States did not wish to see lose any more than it wished to see Iran lose. The two sides' attitudes toward the Soviet Union were not identical. North spoke as if the Soviets were the common enemy. According to North's notes, Bahramani said: "Before I came here, responsible officials wanted me to make clear that while we do not want to be an enemy of Soviets, we are not about to be friendly toward them."⁸¹

Iran's view of the Iran-Iraq war, according to Bahramani, was bound to be troublesome. Iran, he said, needed some kind of victory against Iraq, though not necessarily "a big, decisive military victory." More important for Iran was the removal of Iraq's strongman, Saddam Hussein. "Iran," he said, "agrees completely with respect to an honorable peace with Iraq; however, Saddam Hussein must go from the Iranian point of view." He knew that it was not U.S. policy to overthrow Saddam Hussein, but he also claimed to know that the United States could influence Arab nations which had it in their power "to get rid of Saddam Hussein." How Iraq could get an honorable peace if Saddam Hussein had to be overthrown was an Iranian secret.

North tried to temporize. The United States, he said, wanted to ensure the territorial integrity of Iran and had no interest in an Iraqi victory. He

could "make no commitment about getting rid of Hussein," but "there is a need for a non-hostile regime in Baghdad." This conciliatory position was not enough for Bahramani, who kept coming back to the demand for U.S. pressure on Arab states to overthrow Saddam Hussein, a particular obsession of Ayatollah Khomeini's. North's formula was double-edged: "The United States does not wish to see Iran lose. We do not want to see an attempt against Iraq which will bring in the Soviets."

On the other hand, North complained about Iran's support of the "Communist government" of Nicaragua. He charged that Iran planned to ship 10,000 rifles and other munitions to Nicaragua through North Korea. These activities, he maintained, "serve Soviet interests and in the long-term jeopardize Iran and the United States."⁸²

Despite such differences, the two sides substantially agreed on the immediate issue of arms for hostages. North accepted the Iranian strategy of a stage-by-stage or step-by-step process.⁸³ He undertook to provide Iran with military "items which will help in her defense," so long as Iran paid for them. Secret had drawn up a list of Iranian military needs, and the Iranians had their own ideas of what they wanted. The Iranian "wish list" included Hawk spare parts and radars as before, plus intelligence information against Iraq, artillery, and other weapons, not all of them defensive. Bahramani gave intelligence information a higher priority than any other military assistance by the United States.⁸⁴ In principle, North said to him, "to the extent that items are available either here or elsewhere there isn't a particular problem."⁸⁵ North even chided the Iranians for wanting nothing more than arms and offered American aid in support of new Iranian housing, oil production facilities, and medical supplies.⁸⁶

At the end of the first day, North was so gratified by the progress they had made that he took Bahramani on a complete tour of the White House. Hakim, who had not attended the business sessions, was now pressed into service as translator. They went as far as the president's Oval Office, into which they peered from behind the rope barrier. North was so exuberant that he stopped before one painting, and as Hakim later related:

North, by this time, was also impressed by this gentleman, and he was feeling, after many months of frustration, he was feeling upbeat. It is interesting to know while we were passing by one of the corridors, stepping down the stairs, we came across a picture that was hanging on the wall. It portrayed the table and like a conference table and there were dogs sitting around the table and I remember one of the dogs I think was taking a little nap, and Ollie was feeling very upbeat and he asked me to translate for our guest that this represented our Cabinet, and that Mr. Casey was taking a nap. That broke the ice.⁸⁷

Hakim related another curious incident. One of the two Iranians accompanying Bahramani was thought to be a government official.⁸⁸ On the second day of the visit, he made Hakim aware that they expected "financial remuneration" for their services in opening the Second Channel. Hakim went into the room in which North and Bahramani were conferring and talked to them about it in such a way that he "made sure that this issue would not be forgotten," either for himself or for the Iranians. Hakim says that the conferees agreed, "in principle," to remunerate them, but that the amount and method were left to the future. "It was too early to be specific."⁸⁹

The entire meeting was mainly an exchange of views and had not been very specific. From the American point of view, however, it was a huge success. North and Bahramani had hit it off splendidly together. Each had tried as much as possible to say the right things to the other. Where they had not fully agreed, they had never come to any real clash. The Americans felt that they had finally made direct contact with Speaker Rafsanjani, their great hope for achieving the dual tasks of rescuing the hostages and arriving at a new long-term relationship with Iran. North exuberantly informed Poindexter:

We appear to be in contact with the highest levels of the Iranian Government. There is no doubt that [Bahramani] is far more competent and better "connected" than our other interlocutor [Kangarlou]. It is possible that the Iranian Government may well be amenable to a U.S. role in ending the Iran-Iraq war. This, in and of itself, would be a major foreign policy success for the President.⁹⁰

In another reference to the president, North exulted: "Sincerely believe that RR can be instrumental in bringing about an end to Iran/Iraq war—a la Roosevelt w[ith] Russo-Japanese war in 1904. Anybody for RR getting the same prize?"⁹¹

Yet nothing had actually been settled. The only concrete result was an agreement to meet again after Bahramani had reported to his superiors in Iran. On the immediate issue of American arms for Iran, Bahramani had reason to be satisfied. North had accepted the Iranian plan for a sequential exchange of hostages for arms. But the larger questions about a U.S.-Iran strategic understanding, the fate of Saddam Hussein, and the like were not about to be settled soon. North's repeated pronouncements that the hostages were merely an obstacle in the path of larger aims and had to be cleared away first represented an obstinate refusal to recognize how distant those larger aims were. Historically, theologically, politically, geographically, and in almost every other way, the United States and Iran were so far apart that anything resembling a strategic realignment was bound to be a distant and highly dubious goal.

Even if the long-term aim had been more feasible, it would have had

to be negotiated, in the usual way of carrying on American diplomatic business, by the Department of State, not by a junior lieutenant colonel on the NSC staff. Both Casey and North now began to think about giving some role to the State Department. On September 22, just after the departure of Bahramani, North informed Poindexter:

Casey has asked what we are doing ab[ou]t bringing Sec State up to speed on results. I told him this was your call. Casey is urging a mtg [meeting] on Weds. among you, Casey, Cave and me to discuss situation prior to discussion w[ith] Shultz. Can we schedule same?⁹²

Two days later, North himself put this question to Poindexter: "Who, if anybody, at the State Department should be brought into this activity?"⁹³ Only a week earlier, North had protested against Casey's intention to tell Shultz in general terms about the contact with Bahramani.⁹⁴ Shultz himself later testified that he had heard nothing about it—or about anything related to the Iran operation.⁹⁵ It appears that Poindexter was not yet willing to bring in anybody from the State Department.

The Israelis were also left out of the new developments. North told Poindexter that Amiram Nir had been calling daily—"often several times"—to urge the Americans "to get on with the process in our 'joint venture.'" North decided to "stall," because Bahramani had asked him to leave the Israelis out for the time being. While Nir and Chohanifar were put off with a fictitious story that the Americans could not proceed without holding a meeting with Kangarlou, whom they had already cast out, Nir continued to encourage Chohanifar to raise the necessary funds for another arms delivery.⁹⁶ In effect, North, with Poindexter's knowledge, began to deceive Nir and to treat Bahramani as if he were more to be trusted than the Israeli.

In some ways, North and Bahramani were two of a kind. Both were young military officers doing work generally left to senior diplomats or high-ranking government leaders. They talked effusively about matters that they could not have decided by themselves, and neither could be sure that the other fully represented the official views of the ruling circles. Both might be expected to report back that they had made great strides forward, while neither really knew how the other country's system functioned.

Chohanifar was more disaffected and suspicious than ever. On September 24, Nir told North that the sense he was getting from Chohanifar was that he was "getting very worried."⁹⁷ On October 1, North heard from Nir that Chohanifar had complained bitterly about the way he had been treated. Cave had told Kangarlou in one of their telephone conversations that the United States did not trust Chohanifar—a message which Kangarlou promptly passed on to Chohanifar. Nir forwarded

Exhibit 4

(referenced on p. 9 of text)

position to know what was real and what was not. North ended his version of what Ghorbanifar had told them with the words: "Need CIA analysis."

The Americans also reported that they had held a discussion with Kangarlou by telephone which had produced these "salient points":

[Kangarlou] believes he had demonstrated his ability to perform and has expectations we are now prepared to deal. Despite our earlier and current protestations that we want all hostages before we deliver anything, this is clearly not the way they want to proceed. They see clearly that the ball is now in our court. In discussion with [Kangarlou] he repeatedly asked quote—"When are you going to deliver." While [Kangarlou] made no specific threat, he noted that he was under intense pressure and could not totally control events.

Bottom line, is that, if we want to prevent the death of one of the three remaining hostages, we are going to have to do something.⁴⁷

Doing something actually meant sending the 240 Hawk spare parts that Iran had long demanded. On July 30, President Reagan approved "further shipments of arms to Iran in response to the release of Rev. Jenco."⁴⁸ On August 3 or 4, they were flown to Iran by one of Secord's crews aboard an Israeli airplane.⁴⁹

In the end, Ghorbanifar had trapped the Americans into doing what he had "cooked up" for them. His first sequence had worked out just as he had intended. For almost a year, the Americans had made it a cardinal principle to refuse to deal with Iran unless all the hostages were released. This principle was now sacrificed to the only deal that Iran was willing to entertain. The Americans tried to tell themselves that they were still committed to it—always next time—but with diminishing conviction. In fact, they had engaged in a purely arms-for-hostage deal at the rate of one hostage for 240 Hawk spare parts. This deal was a victory for Casey and North, who had been most firmly in favor of it, even as they recognized that it fell far short of American policy. It would not have been possible if President Reagan had not approved it.

At stake in a larger sense was an understanding of Iran-Hizballah strategy. The Casey-North approach preferred to believe that all the American hostages could be rescued one at a time or at some indefinite time all at once. The Weir and Jenco releases ten months apart were taken to be grounds for believing in this method. Yet both releases had come about as a result of an impasse which Iran was determined to overcome in order to get more of the arms it desperately needed. The problem for Iran was that all it had to bargain with was the hostages. If it surrendered them all at once, the game was up. The sequential strategy was a way out of this dilemma. It gave up one hostage with the promise of more if the United States did what Iran wanted it to do. There was never any

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31. North to Poindexter, July 10, 1986, TR, p. B-136.
32. North to Poindexter, July 17, 1986, *ibid.*, p. B-137. The country of this foreign official may have been Syria, which is mentioned in a similar context on p. B-139.
33. North to Poindexter, July 10 and 17, 1986, TR, pp. B-136-38. This message was evidently passed on to the Iranian foreign minister (B-138).
34. North to Poindexter, no date but probably July 26, 1986, Part III, p. 1189.
35. Israeli Historical Chronology, cited by FR, p. 246 and p. 264, note 16.
36. TR, p. B-138.
37. North to Poindexter, probably July 26, 1986, Part III, p. 1189.
38. North to Poindexter, July 29, 1986, Part III, p. 1182. This deal also appears in NN, July 27, 1986, with a seventh step: "Last hostage & last HP [HIPAR radar]."
39. North to Poindexter, July 29, 1986, Part III, pp. 1181-83.
40. McFarlane to Poindexter, July 26, 1986, TR, p. B-139. The reference to Syria is unclear. Poindexter and North told McFarlane two different versions about Syria's alleged role. Poindexter thought that the Syrians had entered into the Jenco release at the last minute (Poindexter to McFarlane, July 26, 1986, TR, p. B-139). North said that the Jenco release "is the direct result of your mission and neither the Syrians nor the non-existent Casey trip had anything to do with it" (North to McFarlane, July 26, 1986, *ibid.*, p. B-139, note 81). This divergence suggests that neither of them really knew what the Syrians had done. The reference to the "non-existent Casey trip" is also unexplained.
41. Poindexter to McFarlane, July 26, 1986, TR, p. B-139. This version is what is published here. "The Tehran contact" was almost certainly Kangarlou, with whom Cave had been having conversations.
42. This reference to additional Israeli arms to Iran is not further explained.
43. The name of Kangarlou has been deleted in the documents and, therefore, has been put in brackets. On July 27, North's notebook contains the line: "Call to Australian: Thank you!" Secord referred to Kangarlou as "the Australian," as in TR, p. B-147, where he is identified as an "official in the Prime Minister's office"—the usual designation for Kangarlou.
44. Casey to Poindexter, July 26, 1986, Part III, pp. 1197-99.
45. Armacost to Shultz, July 2, 1986, 100-9, p. 554.
46. These notes cover two and a half pages; the decipherment is sometimes difficult. The lines given here are almost entirely clear but the context is not.
47. North/Cave, June 27, 1986, Part III, p. 1186.
48. Report of member of Hostage Location Task Force, July 30, 1986, based on information from the CIA's Charles Allen, TR, p. B-144.
49. August 3 is based on the Historical Chronology, 11/20/86, Part III, p. 142; August 4 on the Israeli Historical Chronology, cited by FR, p. 247 and p. 264, note 24. TR chooses August 3 (p. B-147).
50. This seems to be the sense of the testimony by Craig L. Fuller, Bush's chief of staff, who accompanied Bush to the meeting with Nir (Fuller, B-10, p. 925). In his notes on the meeting, Fuller says that "Nir began by indicating that Peres had asked him to brief the VP" (TR, p. B-145).
51. Craig Fuller's notes, "The Vice President's Meeting with Mr. Nir," King David Hotel, Jerusalem, July 29, 1986, TR, pp. B-145-47. The words in brackets are Fuller's; the rest are Nir's.
52. This section is entirely based on the deposition of Admiral William J. Crowe, Jr., B-8, pp. 122-91.

19. The Second Channel

1. Cave said that he had received the microfiches sometime in July 1986 (B-3, p. 672). The Israeli Historical Chronology, cited by FR, says the Israelis received them on August 6, 1986 (p. 248 and p. 264, note 50).
2. B-3, pp. 670-71.

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Hostage
Location Task Force
TF 7/30/86
Cave Allen
FN 48
Tower
B-147

Step 2: Remainder of 240 parts plus full quota of electron tubes (Item 24 on Iranian parts list) and 500 TOWs delivered to Iran.

Step 3: Second hostage released and Ghorbanifar paid for remainder of 240 parts.

Step 4: 500 TOWs and 1 HIPAR radar delivered.

Step 5: Third hostage released and Ghorbanifar paid for one radar.

Step 6: Meeting in Tehran to discuss future followed by release of the last hostage and delivery of second HIPAR radar.

We believe that the mixture of HAWK parts and TOWs is designed to satisfy both the military and the revolutionary guards in Iran. At this point, [the Iranian official] will probably be able to retain his credibility if just the 240 parts are delivered from Israel. We believe that he can be convinced to follow-up this delivery with a meeting in Europe to discuss next steps.

At such a meeting, we should endeavor to produce a concrete schedule that is agreeable to both parties and which allows all remaining hostages to be released simultaneously. The Jenco release . . . indicate[s] that this is clearly within the power of the Iranians, if they are so inclined. While they will continue to haggle over prices, timing, and sequence, the delivery of the 240 should help to assure the Iranians that we will keep *our* word. It is important that a face-to-face meeting occur so that we can establish the terms rather than having Ghorbanifar negotiate for us. Finally, even after the parts are delivered, we still retain some leverage over [the Iranian official]:

—He has been told that we have video tapes and photographs of him meeting with us in Tehran and he is concerned that we could make these public.

—He also wants assurance of asylum in the U.S. should "things go wrong." He has been told that we are prepared to offer such and need to meet with him to arrange exfiltration procedures. We intend to use this ploy as a further reason for establishing a direct communications link in Tehran.

RECOMMENDATION

That you brief the President regarding our conclusions on the Jenco release as indicated above and obtain his approval for having the 240 HAWK missile parts shipped from Israel to Iran as soon as possible, followed by a meeting with the Iranians in Europe.

(North to Poindexter, 7/29/86) Poindexter initialed "Approve" and wrote: "7/30/86. President approved. JP." A member of the Hostage Location Task Force reported, on July 30, that

Charlie Allen advises that the President today approved further shipments of arms to Iran in response to the release of Rev. Jenco. Apparently, internal White House disagreements over who was responsible, the Syrians or the Iranians and, ultimately, the [Ghorbanifar-Iranian official] connection.

The Vice President was in Israel on July 29. While there, he met with Nir. The Vice President told the Board that, before the meeting, he had been uneasy, and tried to call Poindexter.

Failing to contact Poindexter, Mr. Bush spoke to North who indicated that the Israeli Prime Minister thought the meeting with Mr. Nir was important for the Vice President to meet with Nir. According to the Vice President, North had originally requested that the Vice President meet with Nir on the basis that the Israeli Prime Minister thought the meeting was important. North's position was apparently confirmed when after the meeting with Nir, the Israeli Prime Minister asked Mr. Bush how the meeting had gone. The Vice President indicated that there had been no discussion of the Nir meeting between himself and the Israeli Prime Minister.

(W. Clark McFadden II, "Discussion with the Vice President," 12/29/86) The Vice President expressed concern to the Board about what he perceived as the extent to which the interests of the United States

were in the grip of the Israelis. Now, according to the Vice President, the Israelis themselves may be in some sense seeking cover. Vice President Bush related that his

discussion with Mr. Nir was generally about counterterrorism. There was no discussion of specifics relating to arms going to the Iranians, e.g., the price of TOW missiles was never raised.

(Id.)

The Vice President's Chief of Staff, Craig Fuller, attended the meeting and memorialized it:

**THE VICE PRESIDENT'S MEETING
WITH MR. NIR—7/29/86 0735-0805**

PARTICIPANTS: The Vice President, Mr. Nir, Craig Fuller

DATE/TIME: 7/29/86 0735—0805

LOCATION: Vice President's suite/King David Hotel, Jerusalem

1. SUMMARY. Mr. Nir indicated that he had briefed Prime Minister Peres and had been asked to brief the VP by his White House contacts. He described the details of the efforts from last year through the current period to gain the release of the U.S. hostages. He reviewed what had been learned which was essentially that the radical group was the group that could deliver. He reviewed the issues to be considered—namely that there needed to be ad [sic] decision as to whether the items requested would be delivered in separate shipments or whether we would continue to press for the release of the hostages prior to delivering the items in an amount agreed to previously.

2. The VP's 25 minute meeting was arranged after Mr. Nir called Craig Fuller and requested the meeting and after it was discussed with the VP by Fuller and North. Only Fuller was aware of the meeting and no other member of the VP's staff or traveling party has been advised about the meeting. No cables were generated nor was there other reporting except a brief phone call between Fuller and North to advise that "no requests were made."

3. Nir began by indicating that Peres had asked him to brief the VP. In addition, Nir's White House contacts with whom he had recent discussions asked him to brief the VP.

4. Nir began by providing an historical perspective from his vantage point. He stated that the effort began last summer. This early phase he said "didn't work well." There were more discussions in November and in January "we thought we had a better approach with the Iranian side," said Nir. He said, "Poindexter accepted the decision."

5. He characterized the decision as "having two layers — tactical and strategic." The tactical layer was described as an effort "to get the hostages out." The strategic layer was designed "to build better contact with Iran and to insure we are better prepared when a change (in leadership) occurs." "Working through our Iranian contact, we used the hostage problem and efforts there as a test," suggested Nir. He seemed to suggest the test was to determine how best to establish relationships that worked with various Iranian factions.

6. Nir described Israel's role in the effort by saying, "we activated the channel; we gave a front to the operation; provided a physical base; provided aircraft." All this to "make sure the U.S. will not be involved in logistical aspects." Nir indicated that in the early phase they "began moving things over there."⁸⁴

7. Before a second phase a meeting was desired. Nir indicated a February meeting took place with "the Prime Minister on the other side." Nir did not make it clear who else attended the meeting. He said the meeting was "dramatic and interesting." He said "an agreement was made on 4,000 units—1,000 first and then 3,000." The agreement was made on the basis that we would get the group," Nir said. "The whole package for a fixed price," he said.

⁸⁴ Charles Allen told the Board that he remembered the memorandum as reporting Nir to have talked about the Israelis initiating, taking the initiative, proposing this, sort of directing this. I think probably overstated my understanding of the situation.

Indeed, I think they were proposing it and pressing it on the United States, but based on my understanding and all the memoranda that I have put together is that Mr. McFarlane saw a real strategic need to pursue this effort.

And also, an ancillary aspect was to solve the hostage problem in order to move to broader relationships.

(C. Allen (2) 13-14)

8. Although there was agreement the other side changed their minds and "then they asked for the other items," according to Nir. "We were pleased because these were defensive items and we got to work with the military," said Nir. He continued, "there were 240 items on the list we were provided and we agreed to it."

9. A meeting was organized for mid May in Tehran to finalize the operation. The VP asked Nir if he attended the meeting and Nir indicated he did attend. Nir said, "two mistakes were made during this phase." "Two people were to be sent to prepare for the meeting but the U.S. had concerns about McFarlane," according to Nir. He described the meetings as "more difficult—total frustration because we didn't prepare." And he said, "their top level was not prepared adequately." During the meeting in Tehran the other side kept reminding the group that "in 1982 there was a meeting which leaked and the Prime Minister was thrown out of office." Nir said that at the end of the May meeting, "they began to see the light." "McFarlane was making it clear that we wanted all hostages released," Nir reported and, "at the last moment the other side suggested two would be released if those at the meeting stayed six more hours." According to Nir, "the Deputy Prime Minister delivered the request (to delay departure) and when the group said 'no,' they all departed without anything."

10. According to Nir, "the reason for delay is to squeeze as much as possible as long as they have assets. They don't believe that we want overall strategic cooperation to be better in the future. If they believed us they would have not bothered so much with the price right now." Further, according to Nir, "there are serious struggles now within the Iran power groups. Three leaders share the view that we should go ahead but each wants to prove his own toughness."

11. Turning to what Nir said was the final or most recent phase, he reported, "we felt things would just die if we didn't push forward to see what could be delivered. They

asked for four sequences, but we said no to talks until they showed something."

12. According to Nir, he told them about 10 days ago he would cancel the deal. Then nine days ago their Prime Minister called saying that they were taking steps to release one—the Priest. The second one to be released would be Jacobson. The Prime Minister also said that one would be released and then "we should give some equipment." Nir indicated to the VP that the bottom line on the items to be delivered was understood to be the same or even less but it was not the way the deal was originally made. The items involved spares for Hawks and TOWs. No denial or approval was given according to Nir. Nir said he made it clear that no deal would be discussed unless evidence is seen of a release.

13. On Tuesday or Wednesday a message was intercepted between Tehran and the guards according to Nir. On Friday, three hostages were taken out and on Saturday Janco [sic] was taken out, put into a trunk and driven to a village in the Bakka [sic] Valley. Nir then described what Janco reported with regard to the conditions under which he was held and what he knew of the other hostages including Buckley. (I assume we have detailed briefing already.) The VP asked Nir if he had briefed Peres on all of this and he indicated that he had.

14. Nir described some of the lessons learned: "we are dealing with the most radical elements. The Deputy Prime Minister is an emissary. They can deliver . . . that's for sure. They were called yesterday and thanked and today more phone calls. This is good because we've learned they can deliver and the moderates can't. We should think about diversity and establish other contacts with other factions. We have started to establish contact with some success and now more success is expected since if these groups feel if the extremes are in contact with us then it is less risky for the other groups—nothing operational is being done . . . this is contact only."

15. Nir described some of the problems and choices: "Should we accept sequenc-

ing? What are alternatives to sequencing? They fear if they give all hostages they won't get anything from us. If we do want to move along these lines we'd have to move quickly. It would be a matter still of several weeks not several days, in part because they have to move the hostages every time one is released."

16. Nir concluded with the following points: "The bottom line is that we won't give them more than previously agreed to. It is important that we have assets there 2 to 3 years out when change occurs. We have no real choice than to proceed."

17. The VP made no commitments nor did he give any direction to Nir. The VP expressed his appreciation for the briefing and thanked Nir for having pursued this effort despite doubts and reservations throughout the process.

BY: CRAIG L. FULLER [initialed:] "CF 8/6/86"

IX. New Wine in Old Bottles? July-November 1986

Jenco's release coincided with expressions of interest by Iranian officials in improved relations with the United States. At the same time, three Americans remained hostage in Lebanon. American officials, already dissatisfied with Ghorbanifar as an intermediary, were ready to try other channels of communication with Iran. American goals remained unchanged.

A. Sequentialism

Pursuant to the President's decision of July 30, 1986, on August 3, the United States delivered twelve pallets of HAWK spare parts to Iran. ("Adams" [Secord] to [?North], 8/2/86) Israel provided logistical assistance. (CIA/IG Chronology 28; Maximum Version 8; Historical Chronology 13)⁸⁵ On August 2, Secord reported:

1. Planning to operate 707 TAIL No. EI-ptm fm Ben Gurion to Bandar Abbas.

⁸⁵ The Historical Chronology contains the following summary of events in August:

On August 3, the remaining three pallets (less than 1/2 plane-load) of electronic parts for Iranian anti-aircraft defenses (HAWK missile sub-components) arrived in Tehran. As in all flights to/from Iran this delivery was made with an Israeli Air Force aircraft (707) using false flag markings. Timing of the

Cargo Wt. 48000 lbs. 12 Pallets. ETD 2400L-2100Z and ETA is 0730L-0400Z. Rt of flt is down red sea, East btwn S. YEMEN and Socotra to vic Char Bahar, Direct to Bandar Abbas. Expect EI-PTM to contact Bandar Abbas approach control, circa 0700L-0330Z on VHF 124.2 Pt. 2. Pls ensure authorities in Bandar Abbas know we are coming and are ready to off load and refuel the 707. Fuel is expected to be free as in the past. Past experience shows that the authorities at Bandar Abbas are not in the picture and much confusion results. pls get Sam [O'neil] to emphasize this to the Australian [coverterm for official in Iranian Prime Minister's office]. We wd like to get out of Bandar Abbas and

delivery was based on coordination among U.S., Israeli and Iranian officials.

In early August 1986, the contact with the Iranian expatriate [Ghorbanifar] began to focus exclusively on the willingness of the USG to provide military assistance to Iran in exchange for hostages and we sought to establish different channels of communication which would lead us more directly to pragmatic and moderate elements in the Iranian hierarchy. In mid-August, a private American citizen (MGEN Richard Secord, USAF [Ret.]) acting within the purview of the January Covert Action Finding, made contact in Europe with * * * a relative * * * of a senior Iranian official * * *. With the assistance of the CIA, this Iranian was brought covertly to Washington for detailed discussions. We judged this effort to be useful in establishing contact with a close confidant of the man judged to be the most influential and pragmatic political figure in Iran * * *. These discussions reaffirmed the basic objectives of the U.S. in seeking a political dialogue with Tehran. ~~We also provided assessments designed to discourage an Iranian offensive and contribute to an Iranian decision to negotiate an end to the war.~~

(Historical Chronology 13) The Maximum Version of the delivery of spare parts omits the last two sentences in the first paragraph quoted above. (Maximum Version 8) The Historical Chronology added the following sentence to the second paragraph quoted above, from the Maximum Version (*id.* at 8-9): "The assessments also detailed the Soviet threat to Iran." (Historical Chronology 13)

Cave told the Board that "the decision to get rid of Ghorbanifar was on our part to clean this up operationally, so that we had better control." (Cave 25)

Furmark told the Board that, when he and Ghorbanifar discussed

"the inflated pricing" in August, Ghorbanifar said the money may have gone to the Contras, or the Afghans, or someplace. And he even said—and he said that North told him that now they've passed this bill, if we don't complete this transaction we'll pay you the money back, the \$10 million; they passed the Aid to the Contras bill—so Ghorbanifar said, if they never complete the deal we'll still get our money back because now they can, you know.

So that's an inference that the money was used and they'll repay it back.

(Furmark 17)

return here in Daylight hours. Pt. 3. 707 will transmit ops normal position reports in blind to IAF command post on HF/SSB Freqs Night: 8739 or 5605 or 10475 or 3115; Day: 8858 or 11290 or 12600. Reports will be given abeam jidda, socotra and approaching B. Abbas. Pt. 4. It is now 7 hrs til planned takeoff. If coord w/ Tehran cannot be accomplished, we plan 24 hr delay.

("Adams" [Secord] to [?North], 8/2/86)

Shortly before taking a vacation. North went to London on August 7. (North calendar) ⁸⁶

Toward the end of August, after returning from vacation, North reported to Poindexter the latest Iranian and Nicaraguan information.

We have had an intensive series of discussions w/ Nir, Gorba and [Ghorbanifar's Tehran contact] over the past 48 hrs. It is not clear whether Nir/Gorba are aware that we are talking directly to Basic proposal as outlined to you over phone remains unchanged; i.e., sequential release for sequential deliveries. We must, however resolve the problem of how to provide the parts which we promised but do not have in stock. [C/NE] has assigned an officer to work w/ Army logistics in an effort to find (or manufacture, if necessary) the missing/wrong items. Both Gorba and [his Tehran contact] have been told not to ship the 63 defective/wrong parts back and that we will backhaul them

⁸⁶ North requested travel orders to go to Frankfurt on August 6. According to the NSC staff Chronology of Events, dated 11/20/86, the first American contact with [The] relative occurred in London and Madrid on August 10. North wrote McFarlane on October 3 that [the] relative came into contact with us through Dick Secord who met him in Brussels while arranging a pick-up for our friends in a certain resistance movement." (North PROF note to McFarlane, 10/03/86, 22:08:16) North was on leave when the Director of Central Intelligence briefed Poindexter on Cave's meeting, July 25, with Tabatabai in London. Vincent M. Cannistraro of the NSC staff wrote Poindexter that Tabatabai "claims to be a channel to Rasfajani and has passed the usual message via Cave that the Iranian government wishes to establish a regular channel to the U.S. but is constrained until after the end of the war with Iraq. (We also know that Tabatabai has made contact with some of the Iranian exile groups in Paris—particularly the Ali Amini crowd. His bonafides [sic] as an authentic channel to Rasfajani, however, have yet to be proven.)" (Cannistraro to Poindexter, 8/13/86)

on the next delivery. Copp has been told to keep a crew in readiness for a further mission and has been apprised of the general parameters of the arrangement. He notes that from a logistics perspective, the sequential arrangement is preferable in that it requires only one crew and one A/C throughout thus reducing visibility and enhancing OPSEC. We should have a better fix on availability of parts early in the week and meanwhile have told Gorba and [the official in the Prime Minister's office] that both sides should bring a technical expert familiar w/ the appropriate system to the meeting. [The Iranian official] told Geo. [Cave] this morning that it wd be best to bring an expert w/ us to Tehran for the meeting and he could see for himself what the problems are. Having discussed this proposal this a.m. w/ both Clarridge and Cave we all believe this to be the best course of action, especially if we can leave our "technical expert" and a communicator behind in Tehran. CIA is now looking for a good Ops officer who is familiar w/ the system. Dick already has one identified but CIA wd prefer to use its own officer if they can find one. We should get back to [the Iranian official] w/ an answer by Monday [August 25]. All of us rate the risk to be relatively low, particularly given the experience we had in May. If you approve, we wd use [false] documents (as we did in May) and go in via the Iran Air flight to/from Frankfurt. Estimated time on mission wd be two days. We wd plan to go over a weekend to reduce visible absence fm D.C. NEW SUBJECTS: . . .

On the hostages—I just don't know. One of the things that has concerned me for some time was the report that you got from Copp [Secord] about how the parts really help their problem for lack of test equipment, not ordering all of the right parts and the lack of knowledge of the system. If we get into a sequential arrangement, we really have to be prepared to deliver a lot more material and arrange a rather continuing technical agreement. Of course that could all be done, but after the hostages are released. I just don't see how

Exhibit 5

(referenced on p. 9 of text)

intelligence agency. North explained that the CIA's Claridge had been asked to produce false documents for Secord in order to avoid having him use his own passport and that Hakim, a native Iranian, was going along because he was fluent in Farsi.⁶⁹ By the time North set out for Frankfurt, he had added one more to his retinue, the chief of the CIA's Near East Division, Tom Twetten, to provide, as he put it, an "objective account."⁷⁰

Why North needed to use an assumed name is not clear. Secord presumably needed a false name and position to give him prestige and perhaps to hide his past career in Iran. Hakim, on the other hand, was not changing his name but was given a false position in the government, again probably to explain why he was important enough to go along. Yet these fictitious names and official positions were oddly inconsistent with the stated American objective of arriving at a serious long-range understanding with Iran. The Iranian side was being asked to negotiate seriously with make-believe Americans, who could not have negotiated in good faith if they had presented themselves as they were. Yet Chorbanifar, for one, knew who they really were and could easily have tipped off his Iranian compatriots. There seems to have been an element of youthful playacting in North's makeup that added excitement to his adventurism. This element was noted by Twetten,^{*} who spoke of North's two sides—"one is sort of secret and compartmented, and another one is sort of boyish and boastful."⁷¹

In his notes for the meeting, North put down the way he intended to appeal to the Iranians. The United States expected to have the American hostages released "promptly and safely." President Reagan was prepared to send a special emissary to Iran to discuss "further steps we can take together once this first phase is completed." More remarkably, North planned to reveal differences within the U.S. government. "It is important," he stressed, "that you recognize that there are many senior officials in our government who do not believe that this can work—and want to see it fail. We must act to prove them wrong." He also explained that he was bringing "highly accurate" intelligence information but nothing on the southern Iran-Iraq front "because of the opposition that exists in our govt." If the Iranians could assure the prompt, safe release of the hostages, however, "it will be possible to do much more."⁷² In effect, the Iranians were going to be told much more than almost all Americans knew about the disagreements at the highest levels of the U.S. government.

* Twetten was deputy chief of the CIA's Near East Division until May 1986, when he was promoted to chief. He is sometimes cited as DC/NF (deputy chief) and as C/NF (chief), depending on the time and source. He gave his deposition as C/NF and is cited here as such, though much of his testimony deals with the previous period as DC/NF.

5

The long-awaited meeting in Frankfurt started out disastrously.

North's delegation arrived on February 19. But there was no new Iranian official to meet them. Chorbanifar, as Twetten recalled, said that "he would be coming the next day, probably the day after that, but certainly coming at any moment." North was so angry that he immediately ordered a return to the United States and refused to come back until the Iranian official was physically seen to be on the ground in Frankfurt.⁷³

While North was waiting for word of the Iranian's arrival, a crisis brewed between Chorbanifar and Hakim. When Chorbanifar learned that Hakim was coming with the American delegation, he realized that the Americans would no longer be entirely dependent on him as the sole translator and intermediary for both sides. On February 23, Allen taped a conversation with Chorbanifar that vividly expresses, in his idiosyncratic English, Chorbanifar's type of come-on as well as his animus against Hakim, who he had discovered was Jewish, apparently because his first name was Albert.

First, Chorbanifar exuded his usual confidence that now, really, everything was going to be settled:

Tell him [North] this is a real breakthrough. They have made up their minds, and we have brainwashed these people and have instigated them against the northern neighbor so they are ready to make a real firm response and collective cooperation for the future. They should also be ready to be "large" and to play the game just to make them show off. I think this time with all the strings I have pulled now it is going to work out.

Then Chorbanifar warned darkly against Hakim:

We hope it works out but there is something which could not only upset these arrangements but could also be really bringing the end of the life of those people which we are working on. That brought to me a very critical and deliberate mistake the name of an individual as a member of your delegation which has such a bad name in my place. He's a real Jewish gangster. He has one of the heaviest files in that organization which is following up the people. This is a very dangerous mistake; I don't know who made it on your side to give up such a Jewish name at such a critical time for such

Too
replies
Secord

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an important meeting. If I didn't know about this, then it could be the end of everything.^{*74}

It seems that Secord had inadvertently told Nir that Hakim was coming to act as the American translator. Nir told Chorbanihar, and Chorbanihar was ready to take aim at Hakim.⁷⁵

Finally, the Iranian official came, and the first meeting was held on February 25 at the airport hotel. He was Mohsen Kangarou, a shadowy figure who continued to play a major role in meetings with the Iranians. Whoever he really was—and he has been identified as everything from the Iranian official in charge of arms purchasing to a high official in the Iranian prime minister's office to chief of Iranian intelligence—the Americans then understood that he was a Foreign Ministry official.[†] He was accompanied by Ali Samii, said to be a Revolutionary Guard intelligence official, and two colonels who were said to be military intelligence officials.[‡] We are going to encounter Samii again.

North was sufficiently impressed by Kangarou to report to McFarlane that the Iranian had "authority to make his own decisions on matters of great import. He does not have to check back with [the] Tehran on decisions take[n]."⁷⁶ In his notebook, North wrote: "Major breakthrough with [the] honorable religious man who we can trust—Relationship based on honesty."⁷⁷ North, as usual, was probably overdoing it. Nevertheless, if North was right, he was not negotiating with enemies of the Khomeini regime or with a "moderate" faction that had its own interests at stake, as Chorbanihar pretended. Kangarou's mission was clearly to negotiate for the Iranian government as a whole, with the Foreign Ministry and armed forces represented in his group. That he was someone with the right credentials was shown by the fact that he remained a factor in the negotiations for many months as the "First Channel," which is how the Americans thought of him.

* Chorbanihar also said: "His name started with 'Albert'—a Jewish man—which I told him if it came up it could be the end of everything" (B-1, p. 1052). This was evidently said to Nir, who was also Jewish.

† He is referred to as the "Second Iranian Official" in FR, p. 219. The name is also spelled Kengarou or Kangarou with a first name of Mohsen or Ahmed; it was probably Mohsen. Among the Americans, he was sometimes called the "Austrian." In a document entitled "1986 Chronology of CIA Involvement in NSC Iran Program," which was inadvertently made public and then withdrawn, the following item appears: "24 February: Twetten and North meet in Frankfurt with Chorbanihar and Iranian MFA [Ministry of Foreign Affairs] official Kangarou, and return with shopping list of spare parts for Hawk missile batteries." The date should have been February 25.

‡ The name "Ali Samii" is handwritten in 100-8, pp. 635-36 (Hakim's nine points). Woodward gives it as "Samii," a Revolutionary Guard intelligence director in Prime Minister Mousavi's office (Veil, p. 496). Jane Mayer and Doyle McManus have "Ali Samai," a Revolutionary Guard intelligence officer (Landslide, p. 276). Ledeen uses "Semai," again a Revolutionary Guard intelligence officer in the prime minister's office (*Perilous Statecraft*, p. 234). He is also called "the Engine" by Hakim, owing to his presumed influence, and "the Monster" by other Americans, who apparently disliked his behavior. For his presence in Frankfurt in February 1986, see FR, p. 254. The two colonels are mentioned in Secord, 100-1, p. 108.

Nothing went right from the very start. An immediate crisis between Chorbanihar and Hakim was averted as if they were taking part in a comic opera. In their hotel room, North, Secord, and Twetten sat around debating what to do about Chorbanihar's expected denunciation of Hakim. Hakim was a most amusing witness, and the reader should not be deprived of his own account of how he managed to fool Chorbanihar.

And so there I'm sitting there and said to the group, I certainly would remember Chorbanihar. There is no reason that he would not remember me. So how do you want me to go into this meeting?

So they turned to the CIA official and said, do you have somebody that can disguise Albert, and the guy said, by the time I go through the bureaucracy, it will be the end of the meeting.

So Oliver North turned around to me and said, I've heard from Richard [Secord] that you're very resourceful, why don't you go and disguise yourself. I said, thanks.

So I left the hotel, came down to the concierge, said I need to buy a gift for my father and I want to get a wig for him. Where is the best place to go?

So a lady is looking at me, said—gave me a couple of addresses, recommended one. I got a cab. I went to the place and the lady started to go through all kinds of salesmanship to sell me the best wig and if I wanted to swim, I didn't want to swim, and I'm sitting there knowing that the meeting is going to start very soon and I cannot—lady, let's get on with it, I don't give a damn, just give me a wig.

So she goes and brings me a number of wigs to select from. This has that advantage, this one this. Finally, to make a long story short, I said, this is beautiful, just let's try it on. And so we tried it on and I looked at myself, I said, oh, this is not good enough. I said, I don't like the style of this. Do you have a barber? They sent me to the basement. There was another lady. I said, I would like my hairdo in this form. We managed to shape it in such a way that it didn't look like me.

And I normally don't wear eyeglasses, but I have a pair of folding eyeglasses that I carry in my briefcase. I put that on and walked into the room and those three guys were just shocked, amazed. They didn't think that there was a chance for Chorbanihar to know who I was.⁷⁸

And that is how Hakim saved the meeting at the very outset. He was also given a change of name to Ebrahim Ebrahimi, with which he feigned to be an Iranian of Turkish descent.⁷⁹ To make the credentials of Hakim-Ebrahimi even more impressive, he was presented to the Iranians as the special translator of the president of the United States.⁸⁰

TOB
Peyman
Secord
CIA
DOD

3/7/86
Pawel

Hakim also says that Nir wanted to look older in order to impress the Iranians, who, Nir claimed, respected people with white hair. So Hakim took Nir to the place where he had obtained his wig, bought some spray, and gave Nir white hair.⁸¹

Chorbanifar's troubles with Hakim were not over. As Chorbanifar was translating from Farsi, Hakim interrupted to charge that Chorbanifar was deliberately distorting what both sides were saying to each other. Hakim made matters worse by taking over most of the translating. It seems that the Iranians were now more interested in talking about the more advanced Phoenix missiles—because Chorbanifar had assured them that the Americans had promised to supply them. Tempers and confusion rose as North declared that he had never heard anything about Phoenix missiles, which the Iranians wanted because they were air-to-air weapons.⁸²

The contretemps was caused, according to Twetten, by "Chorbanifar having lied to both sides to get them to the table. He then was at the table to watch us have a fight." Yet he gave Chorbanifar credit for "working like crazy to try and put it together. He had successfully done what he had set out; he got us to the table, not a minor achievement. But he then had a lot of work, and I will have to say in fairness to him that he was working harder than anybody else there."⁸³

The main problem was still the same—both sides were talking at cross-purposes. North wanted to get the hostages out of the way as impediments to a strategic arrangement. The Iranians had their hearts set on Phoenix missiles, which the United States had not even given Israel. The Iranians dangled the hostages as bait without making commitments but demanded a commitment on the missiles before anything else was decided. The CIA representative paraphrased Kangarlou's strategy as "if you do something really big, get those Phoenix missiles for us, we might need only a couple thousand, and there might be some other things—but there was much more forthcoming, yes, there is a strategic plan here; yes, we will deliver; yes, we will start on the hostages. You might not get them all immediately, but we will at least start on it."⁸⁴

Another incident showed how far apart the Americans and Iranians were in their ways of doing business. Kangarlou took Hakim aside in a corridor and gave him a message for the president of the United States. He told Hakim to whisper in the president's ear that he would make a lot of money if he took care to get the "Volkswagens"—meaning the missiles—to Iran right away. That is not the way things are done in the United States, said Hakim virtuously.⁸⁵

In the end, the meeting was not a total disaster for both sides. Second and the CIA representative gave the two Iranian colonels an intelligence briefing in which details of the order of battle on a small section of the

* Hakim said that it had been his impression that he had been asked to "tell the President of the United States that he would get a personal payment if he arranged for the Phoenix missiles to be sold to Iran" (100-5, pp. 285-86).

Iran-Iraq border were described. The Iranians were also shown but not given an annotated photograph of the front to give them an idea of what the United States could provide if the two countries entered into an intelligence exchange agreement.⁸⁶

The Americans went home with an agreement for high-level delegations of both countries to meet in the near future on Kishm Island, off the coast of Iran.⁸⁷ This had long been an American objective and represented the principal gain from the Frankfurt meeting.

North's reaction to the encounter with Kangarlou came in a message to McFarlane. "If nothing else," he wrote, "the meeting serves to emphasize the need for direct contact with these people rather than continue the process by which we deal through intermediaries like Chorbanifar." North complained: "Throughout the session, Chorbanifar intentionally distorted much of the translation and had to be corrected by our man on occasions so numerous that [deleted, probably Kangarlou] finally had Albert [Hakim] translate both ways."

Otherwise, North gave McFarlane his customary optimistic appraisal. The Iranian government "is terrified of a new Soviet threat. They are seeking a rapprochement but are filled with fear & mistrust." All the hostages "will be released during rpt [repeat] during the next meeting." Kangarlou "recognizes the risk to both sides—noted need for secrecy." North was again riding high:

While all of this could be so much smoke, I believe that we may well be on the verge of a major breakthrough—not only on the hostages/terrorism but on the relationship as a whole. We need only go to this meeting which has no agenda other than to listen to each other to release the hostages and start the process.

There was one final somber note:

Have briefed JMP [Poindexter] and Casey—neither very enthusiastic despite [Twetten]-North summary along lines above. Believe that you should be chartered to go early next week or maybe this weekend—but don't know how to make this happen. Have not told JMP that this note is being sent. Help.⁸⁸

As this implies, McFarlane had been chosen to head the American delegation to the projected high-level meeting provisionally set for Kishm Island, though he was a former rather than an active American official. McFarlane's reply to North showed that the former national security adviser had been infected with North's exhilaration:

Roger Ollie. Well done—if the world only knew how many times you have kept a semblance of integrity and gumption to US policy;

TDD
Peyman
Seymour
CIA
DOD

3/7/78
Pau

they would make you Secretary of State. But they can't know and would complain if they did—such is the state of democracy in the late 20th century. But the mission was terribly promising. As you know I do not hold Chorbaniar in high regard and so am particularly glad to hear of [Kangarou's] apparent authority.

McFarlane also had good news. He had received a note from Poindexter asking whether he could go on the mission sometime next week "and that the President is on board." McFarlane needed no urging: "I agreed. So hunker down and get some rest, let this word come to you in channels, but pack your bags to be ready to go in the next week or so." Incidentally, he added, Ledeen had been requesting him for assistance in getting visas for Chorbaniar to come to Switzerland, but he had refused. McFarlane advised North not to tell Ledeen "any of this new info."⁸⁹

North soon added to the good news in a reply to McFarlane. He had met with Casey, Poindexter, and Clair George, and "all had agreed to press on. Believe we are headed in the right direction." Always irrepressibly hopeful, North reported that he had received a message from Secord that "once we have set a date [for the top-level meeting] we shall have a very pleasant surprise. Dick [Secord] and I believe that they may be preparing to release one of the hostages early." Even more exciting, McFarlane's "counterpart at the mtg [meeting] w[ould] be Rafsanjani," the speaker of the Iranian parliament. Then came one of North's boyish jokes: "Nice crowd you run with!" He followed with more optimism: "God willing Shultz will buy onto this tomorrow when JMF [Poindexter] brief[s] him. With the grace of the good Lord and a little more hard work we will very soon have five AMCITS [American citizens] home and be on our way to a much more positive relationship than one which barters TOWs for lives."⁹⁰

McFarlane sympathized with Poindexter. "My part in this," he wrote to North, "was easy compared to his. I only had to deal with our enemies. He has to deal with the cabinet." In a follow-up message, he added: "And I fully understand the narrow path he is trying to walk between those who want to go balls out for the wrong reasons (Regan) and those who don't want to do it at all (CPS [Shultz] and Cap [Weinberger])."⁹¹

Thus North returned from Frankfurt all fired up again. In mid-February, 500 TOWs were delivered to Iran. Forgotten or ignored was the plan that he himself had sent to Poindexter on January 24 and that he had taken to Frankfurt to put into effect. That plan had provided for the delivery of 1,000 TOWs by February 8 and the release of all American hostages on February 9.

Another 500 TOWs were delivered by February 27. Not a single hostage was released the next day or for many weeks afterward. Yet North was as buoyant as ever. He looked forward irrepressibly to the next meeting

with higher-level Iranian officials, at which he was confident that everything was going to be put right, again.

Money also changed hands. Secord paid \$3.7 million to the CIA, which paid it to the Defense Department for the 1,000 TOWs. He received \$10 million from Chorbaniar, who received even more from Iran. Some of Secord's profit went to support the Nicaraguan contras, or what North called the "residuals" and others called the "diversion." The only loser was the Defense Department.

TOW
Peyman
Secord
CIA
DOJ

3/7/78
Pau